

I certify that the attached is a true and correct copy of HB 2158, which was filed of record on 3-13-81 and referred to the committee on: Judicial Aff.

FILED MAR 13 1981

*Betty Murray*  
Chief Clerk of the House

By NABERS

H. B. No. 2158

A BILL TO BE ENTITLED

AN ACT

relating to creation of the County Court at Law of Brown County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION. The County Court at Law of Brown County is created.

SECTION 2. JURISDICTION. (a) The County Court at Law of Brown County has jurisdiction over all causes and proceedings, civil and criminal, juvenile and probate, original and appellate, prescribed by the constitution and general laws of the state for county courts. It does not have jurisdiction over causes and proceedings concerning roads, bridges, and public highways and the general administration of county business which is within the jurisdiction of the Commissioners Court of Brown County.

(b) The County Court at Law of Brown County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$20,000, exclusive of interest.

(c) In addition to the jurisdiction conferred on the County Court at Law of Brown County by the other provisions of this Act, the county court at law has concurrent jurisdiction with the district court in Brown County in suits and causes involving family law matters, including adoptions; birth records; removal of disability of minority or coverture; change of name of persons; divorce and marriage annulment cases, including the adjustment of

1 property rights, custody and support of minor children involved,  
2 temporary support pending final hearing, and every other matter  
3 incident to divorce or annulment proceedings; and independent  
4 actions involving child welfare, custody, support and reciprocal  
5 support, dependency, neglect, and delinquency; and independent  
6 actions involving controversies between parent and child and  
7 between husband and wife. The provisions in this subsection do not  
8 diminish the jurisdiction of the district court in Brown County,  
9 and the district court shall retain and continue to exercise the  
10 jurisdiction that is conferred by law on district courts.

11 (d) The County Court of Brown County shall retain  
12 concurrently with the county court at law the general jurisdiction  
13 of a probate court but shall have no other jurisdiction, civil or  
14 criminal, original or appellate. All ex officio duties of the  
15 county judge shall be retained and exercised by the judge of the  
16 County Court of Brown County, except as provided by this Act or  
17 otherwise provided by law.

18 SECTION 3. WRIT POWER. The county court at law, or its  
19 judge, has the power to issue writs of injunction, mandamus,  
20 sequestration, attachment, garnishment, certiorari, supersedeas,  
21 and all writs necessary for the enforcement of the jurisdiction of  
22 the court. It may issue writs of habeas corpus in cases where the  
23 offense charged is within the jurisdiction of the court or of any  
24 other court of inferior jurisdiction in the county. The court and  
25 judge have the power to punish for contempt as prescribed by law  
26 for county courts. The judge of the county court at law has all  
27 other powers, duties, immunities, and privileges provided by law

1 for county court judges, except that such judge of the county court  
2 at law shall in no way have any authority over the administrative  
3 business of Brown County which is now performed by the county judge  
4 of Brown County.

5 SECTION 4. TERMS. The county court at law shall hold two  
6 continuous terms which commence on the first Monday in January and  
7 on the first Monday in July of each year. Each term of court  
8 continues until the next succeeding term begins.

9 SECTION 5. JUDGE. (a) The judge of the county court at law  
10 shall be a qualified voter in Brown County, shall have been a  
11 resident of Brown County for two years, and shall be a licensed  
12 attorney in this state who has been actively engaged in the  
13 practice of law or has been a judge of a court in this state, or  
14 both combined, for four years prior to the judge's appointment or  
15 election.

16 (b) When this court is created, the commissioners court  
17 shall appoint a judge to the county court at law, who shall serve  
18 until the next general election, and until his or her successor is  
19 elected and has qualified. Beginning at the general election in  
20 1982 and every fourth year thereafter, there shall be elected by  
21 the qualified voters of Brown County a judge of the county court at  
22 law for a regular term of four years as provided by Article V,  
23 Section 30, and Article XVI, Section 65, of the Texas Constitution.

24 (c) A vacancy occurring in the office of the judge of the  
25 county court at law shall be filled by the commissioners court, and  
26 the appointee shall hold office until the next general election and  
27 until his successor is elected and has qualified.

1           (d) The judge of the county court at law shall execute a  
2 bond and take the oath of office prescribed by law for county  
3 judges. The judge may be removed from office in the same manner  
4 and for the same causes as a county judge.

5           (e) The judge of the county court at law shall receive an  
6 annual salary in an amount to be determined by the commissioners  
7 court and to be paid in equal monthly installments out of the  
8 county treasury by the commissioners court and is entitled to  
9 receive from the county traveling expenses and necessary office  
10 expenses, including administrative and clerical help, in the same  
11 manner that is allowed the county judge. The judge of the county  
12 court at law shall assess the same fees that are prescribed or  
13 established by law as the county judge's fees, which shall be  
14 collected by the clerk of the court and shall be paid into the  
15 county treasury on collection, and no part of which may be paid to  
16 the judge.

17           (f) A special judge of the county court at law with the same  
18 qualifications as the regular judge may be appointed or elected in  
19 the manner provided by law for the appointment or election of a  
20 special county judge. If a judge of the county court at law is  
21 disqualified to try a case pending in his court, the parties or  
22 their attorneys may agree on the selection of a special judge for  
23 the case. A special judge is entitled to the same rate of  
24 compensation as the regular judge, which shall be paid from the  
25 general funds of the county.

26           (g) The judge of the county court at law is a member of the  
27 juvenile board in Brown County.

1           (h) The judge of the county court at law may not engage in  
2 the private practice of law or receive a fee for the referral of a  
3 case while serving as judge of that court.

4           SECTION 6. PERSONNEL. (a) The county attorney, county  
5 clerk, and sheriff of Brown County shall serve as county attorney,  
6 clerk, and sheriff, respectively, for the county court at law,  
7 except that the district clerk shall serve as clerk of the county  
8 court at law in cases of concurrent jurisdiction between the county  
9 court at law and the district court and shall establish a separate  
10 docket for the county court at law. These officials, either  
11 personally or by the appointment of a deputy or assistant, shall  
12 perform the duties and responsibilities of their offices and are  
13 entitled to the compensation, fees, and allowances prescribed by  
14 law for their respective offices. The commissioners court may  
15 employ as many deputy sheriffs and bailiffs as are necessary to  
16 serve the court.

17           (b) The judge of the county court at law shall appoint an  
18 official court reporter who shall have the same qualifications and  
19 whose duties shall in every respect be as provided by law for  
20 official court reporters. The official court reporter is entitled  
21 to the compensation fixed by the Commissioners Court of Brown  
22 County.

23           SECTION 7. PRACTICE AND PROCEDURE. (a) Practice in the  
24 county court at law shall conform to that prescribed by general law  
25 for county courts, except that practice and procedure, rules of  
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27 pertaining to the conduct of trials and hearings in the county

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8 (b) The laws which govern the drawing, selection, service,  
9 and pay of jurors for county courts apply to the county court at  
10 law.

11 (c) Jurors regularly impaneled for a week by the district  
12 court may, on request of the judge of the county court at law, be  
13 made available and shall serve for the week in the county court at  
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15 SECTION 8. COURTROOM. The commissioners court shall furnish  
16 and equip a suitable courtroom and office space for the county  
17 court at law.

18 SECTION 9. SEAL. The seal of the county court at law shall  
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20 seal shall contain the words "County Court at Law of Brown County."

21 SECTION 10. TRANSFER OF CASES. (a) When the county court  
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24 County Court at Law of Brown County.

25 (b) The judge of the county court and the judge of the  
26 county court at law may transfer cases to and from the dockets of  
27 their respective courts in matters within their jurisdiction. All

1 cases of concurrent jurisdiction between the county court at law  
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4 However, no case may be transferred from one court to another  
5 without the consent of the judge of the court to which it is  
6 transferred, and no case may be transferred unless it is within the  
7 jurisdiction of the court to which it is transferred.

8 (c) On the transfer of all cases specified in Subsection (a)  
9 of this section to the county court at law, and in cases  
10 transferred to any of the courts in Brown County by order of the  
11 judge of another court, all processes, writs, bonds, recognizances,  
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25 minutes, whichever date is earlier.

26 SECTION 12. EMERGENCY. The importance of this legislation  
27 and the crowded condition of the calendars in both houses create an

1 emergency and an imperative public necessity that the  
2 constitutional rule requiring bills to be read on three several  
3 days in each house be suspended, and this rule is hereby suspended,  
4 and that this Act take effect and be in force from and after its  
5 passage, and it is so enacted.



# HOUSE COMMITTEE REPORT

1ST PRINTING

F

By Nabers

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1 emergency and an imperative public necessity that the  
2 constitutional rule requiring bills to be read on three several  
3 days in each house be suspended, and this rule is hereby suspended,  
4 and that this Act take effect and be in force from and after its  
5 passage, and it is so enacted.



COMMITTEE REPORT

The Honorable Bill Clayton  
Speaker of the House of Representatives

4/29/81  
(date)

Sir:

We, your COMMITTEE ON JUDICIAL AFFAIRS, to whom was referred HB 2158, have had the same under consideration and beg to report back with the recommendation that it (measure)

- ( ☒ ) do pass, without amendment.  
( ☐ ) do pass, with amendment(s).  
( ☐ ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ( ☐ ) yes ( ☒ ) no

An author's fiscal statement was requested. ( ☒ ) yes ( ☐ ) no

An actuarial analysis was requested. ( ☐ ) yes ( ☒ ) no

The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.

This measure ( ☒ ) proposes new law.  
( ☐ ) amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_.

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Florence, Ch.	✓			
Hill, A., V.C.	✓			
Heatly, C.B.O.				✓
Allee				✓
Gibson, B.				✓
Gilley	✓			
Lyon				✓
Luna	✓			
Moreno	✓			
Pennington	✓			
Smith, A.	✓			

Total  
7 aye  
0 nay  
0 present, not voting  
4 absent

Bruce Florence  
CHAIRMAN  
Reynolds  
COMMITTEE COORDINATOR

BILL ANALYSIS

BACKGROUND INFORMATION

The growth of Brown County has resulted in the need for the creation of a new county court at law.

PURPOSE OF THE BILL

To create the County Court at Law of Brown County.

SECTION-BY-SECTION ANALYSIS

Section 1: Creates the County Court at Law of Brown County.

Section 2: Provides for the jurisdiction of the court.

Section 3: Provides for the power of the county court at law to issue writs necessary for the enforcement of the jurisdiction of the court.

It further provides that the judge has all powers provided by law for county court judges except said judge shall have no authority over the administrative business of Brown County which is now performed by the county judge of Brown County.

Section 4: Provides for the terms of the court.

Section 5: Sets forth the qualifications for the judge, and provides for the appointment of the judge by the commissioners court. Beginning in 1982, the judge would be elected and serve 4-year terms.

It further provides for vacancy, an oath, removal of the judge from office, salary, and a special judge. The judge of the county court at law will be a member of the juvenile board in Brown County, and shall not engage in the private practice of law.

Section 6: Provides for personnel to serve the court.

Section 7: Stipulates the practice and procedure to be used in the court.

Section 8: Requires the commissioners court to furnish and equip a suitable courtroom and office space for the court.

Section 9: Provides for the seal of the court.

Section 10: Provides for the transfer of cases between the county court and the county court at law, and provides that all cases of concurrent jurisdiction between the county court at law and the district court may be instituted in or transferred between the district court in Brown County and the county court at law. However, no case may be transferred without the consent of the judge of the court to which it is transferred.

Further provides for the transfer of processes, writs and bonds connected therewith.

Section 11: Effective date.

Section 12: Emergency clause.

HOUSE BILL 2158  
BY: NABERS  
page 2

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department or institution.

SUMMARY OF COMMITTEE ACTION

Public notice was posted in accordance with House rules and a public hearing was held on April 15, 1981.

The bill was referred to a subcommittee consisting of the following members: Rep. Florence, Rep. Bruce Gibson, Rep. Pennington. On April 28, the measure was reported to the full committee without amendments.

On April 29, the 48 hour rule having been suspended, the full committee voted to report H.B. 2158 to the House without amendments and the recommendation that it do pass and be placed on the local calendar by a record vote of 7 ayes and 0 nays.

THE STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

LYNN NABERS

COMMITTEES

CRIMINAL JURISPRUDENCE  
CHAIRMAN

FINANCIAL INSTITUTIONS  
CALENDARS



P.O. BOX 2910  
AUSTIN, TEXAS 78769  
512-475-5941

DISTRICT 55

BROWN, CALLAHAN, COLEMAN,  
COMANCHE, MCCULLOCH AND  
RUNNELS COUNTIES

308 NORTH BROADWAY  
BROWNWOOD, TEXAS 76801

April 29, 1981

Honorable Buck Florence, Chairman  
Committee on Judicial Affairs  
House of Representatives  
Austin, Texas

In re: House Bill No. 2158  
By: Nabers

Sir:

In response to your request pursuant to House Rules, Section 3.119, this office finds the financial implications of House Bill No. 2158 (relating to creation of the County Court at Law of Brown County) to be as follows:

The projected expenditures will be approximately \$60,000.00. However, it is anticipated that a substantial amount of money will be generated by the increased ability of the courts to dispose of additional cases and thereby generate more money from fines and court costs which will offset the cost of this additional court. Therefore, it is anticipated that the net cost to the county will be very minimal.

Sincerely,

*Lynn Nabers*

Lynn Nabers

LN/pc

APPENDIX E

NOTICE

This is to give notice of the intention to introduce a bill in the 67th Legislature, Regular Session, to do the following:

(State the caption of the bill to be introduced)  
relating to creation of the County Court at Law of Brown County

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS:

COUNTY OF Brown:

Before me, the undersigned authority, on this day personally appeared Ronald Gray known to me to be the publisher (editor) of the Brownwood Bulletin, who being by me duly sworn deposes and says that he is such publisher (editor); that the said paper has been regularly and continuously published in Brown County, Texas for more than one year immediately preceding the insertion date of this notice; that this notice was published one time; that the same was published in said paper in the issue of the following date: February 8, 1981.

That a copy of said notice as published is attached hereto.  
Ronald Gray Sworn to and subscribed before me this  
10 day of February 1981.

Gregory F. Fiddle  
Notary Public, Brown County, Texas.

My commission expires Mar. 14, 1984.

(Seal)

NOTICE  
This is to give notice of the intention to introduce a bill in the 67th Legislature, Regular Session, to do the following:

Relating to the creation of the County Court at Law of Brown County.

N-11518-102-102

F

PROCLAMATION  
BY THE  
Governor of the State of Texas

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TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 17, 1981

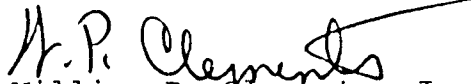
Pursuant to Article IV, Section 14 of the Constitution of Texas, I herewith veto House Bill 2158 for the following reasons:

This bill would authorize the creation of a County Court at Law for Brown County as of September 1, 1982, or earlier, if the Commissioners Court so determined.

I have been contacted by the sponsor of this bill and requested to veto it on behalf and at the urging of the Commissioners Court of Brown County.

Therefore, as a courtesy to this bill's House sponsor and the Commissioners Court of Brown County, I veto House Bill 2158.

Respectfully,

  
William P. Clements, Jr.  
Governor

ENGROSSED  
THIRD READING

By Nabers

H.B. No. 2158

A BILL TO BE ENTITLED

AN ACT

relating to creation of the County Court at Law of Brown County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION. The County Court at Law of Brown County is created.

SECTION 2. JURISDICTION. (a) The County Court at Law of Brown County has jurisdiction over all causes and proceedings, civil and criminal, juvenile and probate, original and appellate, prescribed by the constitution and general laws of the state for county courts. It does not have jurisdiction over causes and proceedings concerning roads, bridges, and public highways and the general administration of county business which is within the jurisdiction of the Commissioners Court of Brown County.

(b) The County Court at Law of Brown County has jurisdiction concurrent with the district court in eminent domain cases and in civil cases when the matter in controversy exceeds \$500 and does not exceed \$20,000, exclusive of interest.

(c) In addition to the jurisdiction conferred on the County Court at Law of Brown County by the other provisions of this Act, the county court at law has concurrent jurisdiction with the district court in Brown County in suits and causes involving family law matters, including adoptions; birth records; removal of disability of minority or coverture; change of name of persons; divorce and marriage annulment cases, including the adjustment of

1 property rights, custody and support of minor children involved,  
2 temporary support pending final hearing, and every other matter  
3 incident to divorce or annulment proceedings; and independent  
4 actions involving child welfare, custody, support and reciprocal  
5 support, dependency, neglect, and delinquency; and independent  
6 actions involving controversies between parent and child and  
7 between husband and wife. The provisions in this subsection do not  
8 diminish the jurisdiction of the district court in Brown County,  
9 and the district court shall retain and continue to exercise the  
10 jurisdiction that is conferred by law on district courts.

11 (d) The County Court of Brown County shall retain  
12 concurrently with the county court at law the general jurisdiction  
13 of a probate court but shall have no other jurisdiction, civil or  
14 criminal, original or appellate. All ex officio duties of the  
15 county judge shall be retained and exercised by the judge of the  
16 County Court of Brown County, except as provided by this Act or  
17 otherwise provided by law.

18 SECTION 3. WRIT POWER. The county court at law, or its  
19 judge, has the power to issue writs of injunction, mandamus,  
20 sequestration, attachment, garnishment, certiorari, supersedeas,  
21 and all writs necessary for the enforcement of the jurisdiction of  
22 the court. It may issue writs of habeas corpus in cases where the  
23 offense charged is within the jurisdiction of the court or of any  
24 other court of inferior jurisdiction in the county. The court and  
25 judge have the power to punish for contempt as prescribed by law  
26 for county courts. The judge of the county court at law has all  
27 other powers, duties, immunities, and privileges provided by law



1 for county court judges, except that such judge of the county court  
2 at law shall in no way have any authority over the administrative  
3 business of Brown County which is now performed by the county judge  
4 of Brown County.

5 SECTION 4. TERMS. The county court at law shall hold two  
6 continuous terms which commence on the first Monday in January and  
7 on the first Monday in July of each year. Each term of court  
8 continues until the next succeeding term begins.

9 SECTION 5. JUDGE. (a) The judge of the county court at law  
10 shall be a qualified voter in Brown County, shall have been a  
11 resident of Brown County for two years, and shall be a licensed  
12 attorney in this state who has been actively engaged in the  
13 practice of law or has been a judge of a court in this state, or  
14 both combined, for four years prior to the judge's appointment or  
15 election.

16 (b) When this court is created, the commissioners court  
17 shall appoint a judge to the county court at law, who shall serve  
18 until the next general election, and until his or her successor is  
19 elected and has qualified. Beginning at the general election in  
20 1982 and every fourth year thereafter, there shall be elected by  
21 the qualified voters of Brown County a judge of the county court at  
22 law for a regular term of four years as provided by Article V,  
23 Section 30, and Article XVI, Section 65, of the Texas Constitution.

24 (c) A vacancy occurring in the office of the judge of the  
25 county court at law shall be filled by the commissioners court, and  
26 the appointee shall hold office until the next general election and  
27 until his successor is elected and has qualified.

1           (d) The judge of the county court at law shall execute a  
2 bond and take the oath of office prescribed by law for county  
3 judges. The judge may be removed from office in the same manner  
4 and for the same causes as a county judge.

5           (e) The judge of the county court at law shall receive an  
6 annual salary in an amount to be determined by the commissioners  
7 court and to be paid in equal monthly installments out of the  
8 county treasury by the commissioners court and is entitled to  
9 receive from the county traveling expenses and necessary office  
10 expenses, including administrative and clerical help, in the same  
11 manner that is allowed the county judge. The judge of the county  
12 court at law shall assess the same fees that are prescribed or  
13 established by law as the county judge's fees, which shall be  
14 collected by the clerk of the court and shall be paid into the  
15 county treasury on collection, and no part of which may be paid to  
16 the judge.

17           (f) A special judge of the county court at law with the same  
18 qualifications as the regular judge may be appointed or elected in  
19 the manner provided by law for the appointment or election of a  
20 special county judge. If a judge of the county court at law is  
21 disqualified to try a case pending in his court, the parties or  
22 their attorneys may agree on the selection of a special judge for  
23 the case. A special judge is entitled to the same rate of  
24 compensation as the regular judge, which shall be paid from the  
25 general funds of the county.

26           (g) The judge of the county court at law is a member of the  
27 juvenile board in Brown County.

1           (h) The judge of the county court at law may not engage in  
2 the private practice of law or receive a fee for the referral of a  
3 case while serving as judge of that court.

4           SECTION 6. PERSONNEL. (a) The county attorney, county  
5 clerk, and sheriff of Brown County shall serve as county attorney,  
6 clerk, and sheriff, respectively, for the county court at law,  
7 except that the district clerk shall serve as clerk of the county  
8 court at law in cases of concurrent jurisdiction between the county  
9 court at law and the district court and shall establish a separate  
10 docket for the county court at law. These officials, either  
11 personally or by the appointment of a deputy or assistant, shall  
12 perform the duties and responsibilities of their offices and are  
13 entitled to the compensation, fees, and allowances prescribed by  
14 law for their respective offices. The commissioners court may  
15 employ as many deputy sheriffs and bailiffs as are necessary to  
16 serve the court.

17           (b) The judge of the county court at law shall appoint an  
18 official court reporter who shall have the same qualifications and  
19 whose duties shall in every respect be as provided by law for  
20 official court reporters. The official court reporter is entitled  
21 to the compensation fixed by the Commissioners Court of Brown  
22 County.

23           SECTION 7. PRACTICE AND PROCEDURE. (a) Practice in the  
24 county court at law shall conform to that prescribed by general law  
25 for county courts, except that practice and procedure, rules of  
26 evidence, issuance of process and writs, and all other matters  
27 pertaining to the conduct of trials and hearings in the county

1 court at law involving those matters of concurrent jurisdiction  
2 between the county court at law and the district court shall be  
3 governed by the provisions of this Act and the laws and rules  
4 pertaining to district courts, general or special, as well as  
5 county courts. If a case involving concurrent jurisdiction between  
6 the county court at law and the district court is tried before a  
7 jury, the jury shall be composed of 12 members.

8 (b) The laws which govern the drawing, selection, service,  
9 and pay of jurors for county courts apply to the county court at  
10 law.

11 (c) Jurors regularly impaneled for a week by the district  
12 court may, on request of the judge of the county court at law, be  
13 made available and shall serve for the week in the county court at  
14 law.

15 SECTION 8. COURTROOM. The commissioners court shall furnish  
16 and equip a suitable courtroom and office space for the county  
17 court at law.

18 SECTION 9. SEAL. The seal of the county court at law shall  
19 be the same as that provided by law for county courts, except the  
20 seal shall contain the words "County Court at Law of Brown County."

21 SECTION 10. TRANSFER OF CASES. (a) When the county court  
22 at law is created, all civil and criminal cases and matters pending  
23 before the County Court of Brown County are transferred to the  
24 County Court at Law of Brown County.

25 (b) The judge of the county court and the judge of the  
26 county court at law may transfer cases to and from the dockets of  
27 their respective courts in matters within their jurisdiction. All

1 cases of concurrent jurisdiction between the county court at law  
2 and the district court may be instituted in or transferred between  
3 the district court in Brown County and the county court at law.  
4 However, no case may be transferred from one court to another  
5 without the consent of the judge of the court to which it is  
6 transferred, and no case may be transferred unless it is within the  
7 jurisdiction of the court to which it is transferred.

8 (c) On the transfer of all cases specified in Subsection (a)  
9 of this section to the county court at law, and in cases  
10 transferred to any of the courts in Brown County by order of the  
11 judge of another court, all processes, writs, bonds, recognizances,  
12 or other obligations issued or made in the cases shall be returned  
13 to and filed in the court to which the transfer is made. All bonds  
14 executed and recognizances entered into in those cases shall bind  
15 the parties for their appearance or to fulfill the obligations of  
16 the bonds or recognizances at the terms of the court to which the  
17 cases are transferred as fixed by law. All processes issued or  
18 returned before transfer of the cases, as well as all bonds and  
19 recognizances taken before transfer, shall be valid and binding as  
20 though originally issued out of the court to which the transfer is  
21 made.

22 SECTION 11. EFFECTIVE DATE. The County Court at Law of  
23 Brown County is created on September 1, 1982, or on a date  
24 determined by the commissioners court by an order entered in its  
25 minutes, whichever date is earlier.

26 SECTION 12. EMERGENCY. The importance of this legislation  
27 and the crowded condition of the calendars in both houses create an

H.B. No. 2158

1 emergency and an imperative public necessity that the  
2 constitutional rule requiring bills to be read on three several  
3 days in each house be suspended, and this rule is hereby suspended,  
4 and that this Act take effect and be in force from and after its  
5 passage, and it is so enacted.

(Jones)

COMMITTEE REPORT FORM

Austin, Texas

MAY 28

Date of report to Senate

Honorable William P. Hobby  
President of the Senate

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS to which was referred  
H. B. No. 2156 have had the same under consideration, and I am instructed to report it back to the Senate  
with the recommendation that it do pass and be printed.

Chairman

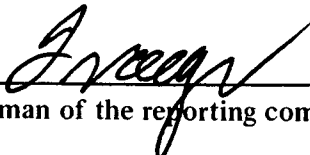
  
JOHN A. TRAEGER

**REQUEST FOR LOCAL & UNCONTESTED CALENDAR  
PLACEMENT**

Hon. Roy Blake, Chairman  
Administration Committee

Sir:

Pursuant to S.R. 148, notice is hereby given that HB 2158, by: Nabers (Jones),  
was heard by the Committee on Intergov. Relations on 5-28, 1981,  
and reported out with the recommendation that it be placed on the Local and Uncontested  
Calendar.

  
Chairman of the reporting committee

**IMPORTANT:** THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL  
OR RESOLUTION, WHICH ALONG WITH 7 ADDITIONAL COPIES OF THE BILL OR  
RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON  
ADMINISTRATION, ROOM G-27J. PLEASE CALL 5-1134 IF YOU HAVE ANY  
QUESTIONS. **DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS**  
**5:00 P.M. MONDAYS.**

Attach white copy of this form to original bill; yellow copy to Reporting Committee; pink copy to Sponsor



F

ENROLLED

H.B. No. 2158

1 AN ACT

2 relating to creation of the County Court at Law of Brown County.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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10 county courts. It does not have jurisdiction over causes and  
11 proceedings concerning roads, bridges, and public highways and the  
12 general administration of county business which is within the  
13 jurisdiction of the Commissioners Court of Brown County.

14 (b) The County Court at Law of Brown County has jurisdiction  
15 concurrent with the district court in eminent domain cases and in  
16 civil cases when the matter in controversy exceeds \$500 and does  
17 not exceed \$20,000, exclusive of interest.

18 (c) In addition to the jurisdiction conferred on the County  
19 Court at Law of Brown County by the other provisions of this Act,  
20 the county court at law has concurrent jurisdiction with the  
21 district court in Brown County in suits and causes involving family  
22 law matters, including adoptions; birth records; removal of  
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27 juvenile board in Brown County.

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9 and pay of jurors for county courts apply to the county court at  
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27 their respective courts in matters within their jurisdiction. All

1 cases of concurrent jurisdiction between the county court at law  
2 and the district court may be instituted in or transferred between  
3 the district court in Brown County and the county court at law.  
4 However, no case may be transferred from one court to another  
5 without the consent of the judge of the court to which it is  
6 transferred, and no case may be transferred unless it is within the  
7 jurisdiction of the court to which it is transferred.

8 (c) On the transfer of all cases specified in Subsection (a)  
9 of this section to the county court at law, and in cases  
10 transferred to any of the courts in Brown County by order of the  
11 judge of another court, all processes, writs, bonds, recognizances,  
12 or other obligations issued or made in the cases shall be returned  
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19 recognizances taken before transfer, shall be valid and binding as  
20 though originally issued out of the court to which the transfer is  
21 made.

22 SECTION 11. EFFECTIVE DATE. The County Court at Law of  
23 Brown County is created on September 1, 1982, or on a date  
24 determined by the commissioners court by an order entered in its  
25 minutes, whichever date is earlier.

26 SECTION 12. EMERGENCY. The importance of this legislation  
27 and the crowded condition of the calendars in both houses create an

H.B. No. 2158

1 emergency and an imperative public necessity that the  
2 constitutional rule requiring bills to be read on three several  
3 days in each house be suspended, and this rule is hereby suspended,  
4 and that this Act take effect and be in force from and after its  
5 passage, and it is so enacted.



H.B. No. 2158

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President of the Senate

---

Speaker of the House

I certify that H.B. No. 2158 was passed by the House on May 15, 1981, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 2158 was passed by the Senate on May 31, 1981, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor

H. B. No. 2158

By NABERS

A BILL TO BE ENTITLED

AN ACT

relating to creation of the County Court at Law of Brown County.

MAR 13 1981

1. Filed with the Chief Clerk.

MAR 18 1981

2. Read first time and Referred to Committee on

APR 29 1981

3. Reported favorably (~~as amended~~  
(~~as substituted~~) and sent to Printer at 12:15 pm

APR 30 1981

4. Printed and distributed at 4:07 pm.

APR 30 1981

5. Sent to Committee on Calendars at Local 4:40 pm.

MAY 15 1981

6. Read second time (~~amended~~); passed to third reading (~~failed~~) by (Non-Record Vote)  
(Record Vote of        yeas,        nays,  
~~present, not voting~~)

7. Motion to reconsider and table the vote by which H.B.        was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of        yeas,        nays, and        present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of        yeas,        nays, and        present, not voting.

MAY 15 1981

9. Read third time (~~amended~~); finally passed (~~failed~~) by (Non-Record Vote) (Record Vote of        yeas,        nays,        present, not voting)

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B.        was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of        yeas,        nays, and        present, not voting).

MAY 15 1981

12. Ordered Engrossed at 11:12 am

MAY 15 1981

13. Engrossed.

MAY 15 1981

14. Returned to Chief Clerk at 12:43 pm.

MAY 18 1981

15. Sent to Senate.

Betty Murray

Chief Clerk of the House

MAY 18 1981

16. Received from the House

MAY 18 1981

17. Read, referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 28 1981

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)  
(       yeas,        nays.)

1981 MAY 15 PM 12:43  
HOUSE OF REPRESENTATIVES

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

MAY 31 1981

23. Read second time Laid before Senate passed to third reading by:  
(a viva voce vote.)  
(                     yeas, \_\_\_\_\_ nays.)

24. Caption ordered amended to conform to body of bill.

MAY 31 1981

25. Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas,  
0 nays to place bill on third reading and final passage.

MAY 31 1981

26. Read third time and passed by

(a viva voce vote.)  
(31 yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

OTHER ACTION:

Betty King  
Secretary of the Senate

May 31, 1981

27. Returned to the House.

MAY 31 1981

28. Received from the Senate (~~with amendments~~)  
(~~amended~~.)

29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

MAY 31 1981

32. Ordered Enrolled at 4:50 p